

United States District Court  
Northern District of New York

## JUDGMENT IN A CIVIL CASE

**MARIANE B. PAICE,**

**Plaintiff,**

**V.**

**CASE NUMBER: 5:07-CV-1324 (LEK/DEP)**

**MICHAEL J. ASTRUE,  
COMMISSIONER OF  
SOCIAL SECURITY,**

**Defendant.**

- ☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.
- ☒ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that the final decision of the Commissioner is REVERSED and the matter is REMANDED to the Defendant for further administrative action pursuant to Sentence 4 of 42 U.S.C. §405(g); and it is further ORDERED that the within matter is DISMISSED in accord with the decision in Melkonyan v. Sullivan, 501 U.S. 89 (1991).

All of the above pursuant to the order of the Honorable Magistrate Judge David E. Peebles, dated the 14th day of August, 2008.

**DATE: August 14, 2008**

**LAWRENCE K. BAERMAN  
CLERK OF COURT**

s/

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**By: Lori M. Welch  
Deputy Clerk**